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FM AMEMBASSY TIRANA
TO RUEHC/SECSTATE WASHDC PRIORITY 6598
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUEAWJA/DEPT OF JUSTICE WASHDC

UNCLAS TIRANA 000067

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DEPARTMENT FOR EUR/SCE (ERIN KOTHEIMER AND YOULIANA IVANOVA)

PASS TO JUSTICE DEPARTMENT FOR OPDAT

E.O. 12958:N/A

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SUBJECT: Criminal Prosecutions Increase in Albania

¶1. (U) Summary: Criminal prosecutions in Albania have accelerated since the creation of the Joint Investigative Unit (JIU) to fight Economic Crime and Corruption in the Tirana District Prosecution Office in September, 2007. Two corruption cases against government officials are currently being tried and another 34 are under investigation. Although the JIU, established with USG assistance, is off to a promising start, fighting endemic corruption in Albania will require a sustained commitment of political will and resources that have been lacking until now. End Summary.

¶2. (U) The JIU began formal operations on September 10, 2007 and is a primary initiative of the Embassy's Overseas Prosecutorial, Assistance and Training (OPDAT) office. The two cases being tried involve officials from the Republican Guard and the Construction Police (Note: The Construction Police enjoy a notorious reputation for extorting from business owners.) Another 34 cases, including high-profile cases against senior officials from the Transportation Ministry and the Tax Police, are being investigated by the JIU. (Note: Most of the 11 officials being investigated in these two corruption probes have been jailed since August in pre-trial detention.) An additional 22 cases are preliminary referrals that are under examination for possible prosecution.

¶3. (U) The JIU was established under a Memorandum of Cooperation between the Prosecutor General, the Minister of Interior, the Minister of Finance and the Director of the National Intelligence Service in June, 2007. To date, these GOA actors have followed through on commitments to assign staff and support the JIU materially. Last week two additional prosecutors were assigned to the JIU; this addition brings the number of prosecutor in the unit to five with two more expected to be named shortly. When staffing is complete this spring, the JIU will have a total staff of 37, including a director, seven prosecutors, 17 state and judicial police officers, and officials from the customs, tax and intelligence agencies. The media has closely followed the JIU's work, and a recent request from the Chief Prosecutor in Durres for OPDAT assistance in creating a multi-agency investigation and prosecution unit within his office is an encouraging sign of the JIU's growing public credibility. OPDAT is supporting the JIU through formal training and equipment donation and will imbed a Department of Justice prosecutor as an anti-corruption advisor in the unit later this spring.

¶4. (SBU) Comment: The long-running political drama over Prime Minister Berisha's attempt to sack former Prosecutor General Sollaku overshadowed the latter's failure to prosecute a single high-level corruption case during his five-year tenure. The Embassy helped set up the JIU as a quasi-independent unit to jump-start a fight against the corruption that permeates the GOA at all levels. The GOA has made modest progress against corruption, as recognized in part by the recent report issued by the Heritage Foundation where Albania

improved its overall ranking to 56 out of 157 countries rated for economic freedom, an improvement of 10 places over last year's ranking. The JIU's initial success and the prosecution of a few mid-level officials is a good beginning, but the fight against corruption will have to eventually aim for investigation and prosecution of the politically well placed in both the government and the opposition. End Comment.

WITHERS